



This document is scheduled to be published in the Federal Register on 01/13/2014 and available online at <http://federalregister.gov/a/2014-00368>, and on FDsys.gov

Billing Code 4310-55

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

[Docket No. FWS-R8-ES-2013-N263]

[81420-1113-0000-F3]

Proposed Safe Harbor Agreement with the California Department of Fish and Wildlife for the Abbott Lake Unit of the Feather River Wildlife Area in Sutter County, California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: This notice advises the public that the California Department of Fish and Wildlife (Department) has applied to the U.S. Fish and Wildlife Service (Service) for an enhancement of survival permit under the Endangered Species Act of 1973, as amended (Act). The permit application includes a proposed safe harbor agreement (agreement) between the Department and the Service for the federally-threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) (beetle). The Agreement is available for public comment.

DATES: To ensure consideration, please send your written comments by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Send comments to Mr. Rick Kuyper, via U.S. Mail at U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, CA 95825.

FOR FURTHER INFORMATION CONTACT: Mr. Rick Kuyper, Sacramento Fish and Wildlife Office (see **ADDRESSES**); telephone: (916) 414-6600.

SUPPLEMENTARY INFORMATION:

Availability of Documents

You may obtain copies of the document for review by contacting the individual named above (see **FOR FURTHER INFORMATION CONTACT**). You may also make an appointment to view the document at the above address during normal business hours (see **ADDRESSES**).

Background

Under a Safe Harbor Agreement, participating landowners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefiting species listed under the Act (16 U.S.C. 1531 *et seq.*). Safe Harbor Agreements and the subsequent enhancement of survival permits, issued pursuant to Section 10(a)(1)(A) of the Act,

encourage private and other non-Federal property owners to implement conservation efforts for listed species by assuring property owners that they will not be subjected to increased property use restrictions as a result of their efforts to attract listed species to their property, to increase the numbers or distribution of listed species already on their property. Application requirements and issuance criteria for enhancement of survival permits through Safe Harbor Agreements are found in 50 CFR 17.22(c) and 17.32(c). These permits allow any necessary future incidental take of covered species above the mutually agreed upon baseline conditions for those species in accordance with the terms and conditions of the permits and accompanying agreements.

The Agreement is expected to promote the recovery of the beetle within the Abbott Lake Unit of the Feather River Wildlife Area, Sutter County, which is owned and managed by the Department. The proposed duration of the Agreement is 20 years. The enhancement of survival permit would authorize the incidental taking of the beetle associated with: the restoration, enhancement, and maintenance of suitable habitat for the beetle; routine activities associated with routine and ongoing lands management within the Abbott Lake Unit; and the potential future return of the property to baseline conditions. The Department would receive assurances under our "no surprises" regulations (50 CFR 17.22(c)(5) and 17.32(c)(5)) for the beetle. In addition to meeting other criteria, actions to be performed under the enhancement of survival permit must not jeopardize the existence of federally listed fish, wildlife, or plants.

Public Review and Comments

The Service has made a preliminary determination that the proposed Agreement and

permit application are eligible for categorical exclusion under the National Environmental Policy Act of 1969 (NEPA). We explain the basis for this determination in an Environmental Action Statement that is also available for public review.

Individuals wishing copies of the Environmental Action Statement, and/or copies of the full text of the Agreement should contact the office and personnel listed in the **ADDRESSES** section above.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

The Service will evaluate this permit application, associated documents, and comments submitted to determine whether the permit application meets the requirements of section 10(a) of the Act and NEPA regulations. If the Service determines that the requirements are met, we will sign the proposed Agreement and issue an enhancement of survival permit under section 10(a)(1)(A) of the Act to the Department for take of the beetle incidental to otherwise lawful activities in accordance with the terms of the Agreement. The Service will not make our final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

The Service provides this notice pursuant to section 10(c) of the Act and pursuant to implementing regulations for NEPA (40 CFR 1506.6).

January 7, 2014

Date

Jennifer M. Norris

Field Supervisor

Sacramento Fish and Wildlife Office

Sacramento, California

~~Proposed Safe Harbor Agreement with the California Department of Fish and Wildlife for the
Abbott Lake Unit of the Feather River Wildlife Area in Sutter County, California~~

[FR Doc. 2014-00368 Filed 01/10/2014 at 8:45 am; Publication Date: 01/13/2014]